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SERVICE DATE – LATE RELEASE NOVEMBER 1, 2004

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-565 (Sub-No. 11X)

NEW YORK CENTRAL LINES, LLC–ABANDONMENT EXEMPTION–
IN LAKE COUNTY, OH

STB Docket No. AB-55 (Sub-No. 617X)

CSX TRANSPORTATION, INC.–DISCONTINUANCE OF SERVICE EXEMPTION–
IN LAKE COUNTY, OH

Decided: November 1, 2004

By decision and notice of interim trail use or abandonment (NITU) served on January 31, 2003 (January 2003 decision), the Board, under 49 U.S.C. 10502, exempted from the prior approval requirements of 49 U.S.C. 10903 the abandonment by New York Central Lines, LLC (NYC) of, and the discontinuance of service by CSX Transportation, Inc. (CSXT) over, a 2.56-mile line of railroad in the Western Region, Great Lakes Division, Chicago Line Subdivision, extending from the former B&O Valuation Station 2535+40 to the end of the track at former Conrail Valuation Station 45+01, between Painesville and Grand River, in Lake County, OH, subject to trail use, public use, environmental, and standard employee protective conditions. The January 2003 decision authorized Lake Metroparks to negotiate with NYC and CSXT for interim trail use/rail banking for the 2.56-mile line under the National Trails System Act, 16 U.S.C. 1247(d). The NITU negotiating period expired on July 30, 2003. The January 2003 decision also stated that, if consummation had not been effected by the filing of a notice of consummation by January 31, 2004, and there were no legal or regulatory barriers to consummation, the authority to abandon would automatically expire. By decision served on January 30, 2004, the negotiating period and the consummation notice filing deadline were extended until July 30, 2004. By decision served on July 16, 2004, the consummation notice filing deadline was extended until October 30, 2004.

On October 25, 2004, CSXT filed for itself and as successor by merger to NYC a request for a 60-day extension, until December 29, 2004, for the time to file a notice of consummation. CSXT states that it is engaged in negotiations to lease the 2.56-mile line between Painesville and Grand River, OH, to the Ohio Rail Development Corporation, and it seeks to retain its abandonment and discontinuance options if the lease negotiations are unsuccessful. CSXT has shown good cause to

extend the time to consummate the abandonment and for filing a notice of consummation in this proceeding. The extension request will therefore be granted.

This decision will not significantly affect either the quality of the human environment or the conservation of energy resources

It is ordered:

1. The request by CSXT for an additional 6-month extension of time to exercise abandonment authority is granted.
2. The authority to abandon must be exercised and the notice of consummation of the abandonment must be filed on or before December 29, 2004.
3. This decision is effective on its date of service.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams
Secretary